

document their entire work history on the form. When asked about his work history prior to 2014, the appellant provided only vague and unclear responses to Dr. Sinclair and it remained unclear as to why he did not continue at some of the jobs he did report. The appellant also told Dr. Sinclair that he had left jobs to get back to his field of science, which he had studied in school, but it appeared that he never actually worked in that field. Additionally, Dr. Sinclair noted that the appellant never expressed regret for any of his past behaviors nor did express any remorse for how he punished his daughter in 2017. Psychological test data supported Dr. Sinclair's concerns regarding the appellant's psychological suitability for the subject position. Specifically, test data revealed problems related to integrity, anger management, and the probability of having background problems related to alcohol use and substance abuse proclivity, among other areas of concern. Therefore, based on the foregoing, Dr. Sinclair did not recommend the appellant for appointment as a Correctional Police Officer.

The appellant's psychological evaluator, Dr. Tishana Majette, found that the appellant, within a reasonable degree of clinical probability, does not pose a foreseeable risk to himself or others. Dr. Majette indicated that there was no evidence that the appellant has engaged in acts of physical aggression, as he reported no inclination to harm himself or others. Thus, based on her interview with the appellant and the information available to her for review and the testing results, Dr. Majette found the appellant fit for duty and able to complete the job requirements for Correctional Police Officer.

Upon its evaluation, the Panel noted that the appellant responded to all the questions posed to him. The appellant indicated that he has been employed by TD Bank for the past year and has never been reprimanded or counseled nor has he received a performance evaluation due to the pandemic. Prior to this, the appellant worked as a clerk at Barnes and Noble for two years and held various jobs previously. The appellant stated that he had been seeking "meaningful work" and always begins a new job hoping to get to the "next level." The appellant reported being terminated from a position when he was living in Tennessee. He has been in New Jersey now for over 11 years. The Panel questioned the appellant about the Division of Child Protection and Permanency report regarding the 2017 incident. The appellant reported that the case was closed within 30 days. The Panel also questioned the appellant regarding his responses to bias items including his endorsement of the statement that wealthy people are corrupt and his views on segregation, particularly in jails. It was unclear to the Panel what he was trying to convey with these responses and the appellant had difficulty clarifying his responses and communicating his thoughts effectively. The appellant did state that he would follow whatever regulations that were in effect at the correctional facilities. With regard to the criminal background reported by the appointing authority's evaluator, the last incident occurred in 2007 when the appellant was driving with a suspended driver's license and that this was known to the Department of Corrections when it extended

the conditional offer of appointment. Therefore, based on the evaluations, the test results of the appellant, and his presentation at the meeting, the Panel recommended that the appellant undergo an independent psychological evaluation, which shall include an in-depth evaluation of the appellant's possible bias, the appellant's ability to communicate his ideas effectively, and his ability to meet the employment demands of a Correctional Police Officer.

In his exceptions, the appellant requested "an appeal of said hearing on April 29, 2021," and that he would be submitting additional information in "due course." The appellant did not submit any additional information.

CONCLUSION

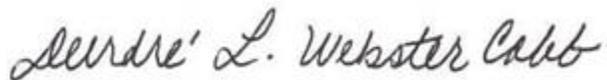
The Civil Service Commission (Commission) has reviewed the Report and Recommendation of the Panel and the exceptions filed by the appellant. The Commission notes that the appellant indicated that he would submit additional information but did not do so. The Commission relies on the expertise of the Panel and is persuaded that a more in-depth psychological evaluation is necessary. In that regard, the Commission emphasizes that the Panel conducts an independent review of the raw data presented by the parties as well as the recommendations and conclusions drawn by the various evaluators and that, in addition to the Panel's own review of the results of the tests administered to the appellant, it also assesses the appellant's presentation before it prior to rendering its own conclusions and recommendations which are based firmly on the totality of the record presented. Moreover, according to the Job Specification, a Correctional Police Officer is involved in providing appropriate care and custody of a designated group of inmates. Additionally, a Correctional Police Officer exercises full police powers and acts as a peace officer at all times for the detection, apprehension, arrest, and conviction of offenders against the law. Therefore, the Commission agrees with the Panel's recommendation that an additional evaluation be conducted and finds it necessary to refer the appellant to a New Jersey licensed psychologist to determine whether the appellant's biases or inability to effectively communicate his thoughts would interfere with his ability to meet the employment demands of a Correctional Police Officer.

ORDER

The Commission therefore orders that J.H. be administered an independent psychological evaluation as set forth in this decision. The Commission further orders that the cost incurred for this evaluation be assessed to the appointing authority in the amount of \$530. Prior to the Commission's consideration of the evaluation, copies of the independent evaluator's Report and Recommendation will be sent to all parties with the opportunity to file exceptions and cross exceptions.

J.H. is to contact Dr. Robert Kanen, the Commission's independent evaluator, within 15 days of the issuance date on this determination to schedule an appointment. If J.H. does not contact Dr. Kanen within the time period noted above, the entire matter will be referred to the Commission for a final administrative determination and the appellant's lack of pursuit will be noted.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 4TH DAY OF AUGUST, 2021



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